

REMARKS

1. Claims 1-21 are pending. Of these claims, claims 1, 2, 4, 6-8, 10, 12-18 and 20 stand rejected and claims 3, 5, 9, 11, 19 and 21 stand objected to. This communication amends claim 1, 3, 7, 12, 13, 15 and 19 and cancels claims 6 and 14.

Reconsideration of this application is respectfully requested.

2. Claims 6 and 12-14 stand rejected under 35 U.S.C. 112, second paragraph, because certain terms in these claims make it difficult to determine whether the claims are directed to a sealing assembly, or the combination of a sealing assembly, a closure and a surface.

It respectfully submitted that claims 1 and 7 and their respective dependent claims are directed to a sealing assembly, not the combination of a sealing assembly, a closure and a surface. To make this point clear, claims 6 and 14 have been canceled, claim 12 has been amended to recite "further comprising a retainer," and claim 13 has been amended to recite "wherein the retainer includes a pair of side walls extending from the cover."

In view of the foregoing, withdrawal of the rejection under 35 U.S.C. 112, second paragraph, is respectfully urged.

3. Claims 1, 2, 4, 7, 8, 10, 15, 18 and 20 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 3,114,946 to Fluck.

In response, independent claims 1, 7 and 15 now require "a stop member extending along a length of the cover *and facing an interior surface of the flexible seal.*" Fluck fails to expressly or inherently describe such a stop member, as the stop members 7 and 8 in Fluck do not face an interior surface of the seal 23.

In view of the foregoing, withdrawal of the rejection under 35 U.S.C. 102(b) is respectfully requested.

4. Claims 6, 12-14, 16 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Fluck in view of prior Figures 2A and 2B disclosed in the present application.

This rejection is moot as claims 6, 12-14 and 16-17 now require, via their respective dependencies from independent claims 1, 7 and 15, "a stop member extending along a length of the cover *and facing an interior surface of the flexible sea.*," which is not taught or suggested by Fluck.

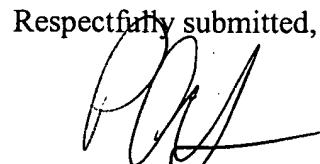
In view of the foregoing, withdrawal of the rejection under 35 U.S.C. 103(a) is respectfully requested.

5. Claims 3, 5, 9, 11, 19 and 21 stand objected to as being dependent upon a rejected base claim, but containing allowable subject matter. In response, dependent claims 3 and 19 have been rewritten in independent form. Accordingly, claims 3 and 19 are allowable over Fluck.

6. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that claims 1-5, 7-13 and 15-21 are in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact applicants' undersigned attorney at his number listed below.

7. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,



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